

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

BRIAN J. STRETCH (CSBN 163973)
Chief, Criminal Division

NICOLE KIM (NYBN 4435806)
Assistant United States Attorney

450 Golden Gate Ave.
San Francisco, California 94102
Telephone: (415) 436-6401
Fax: (415) 436-6982
E-Mail: nicole.kim@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

v.

GUILLERMO ALEJANDRO
ZARAGOZA, et al.,

Defendants.

No. CR 08-0083 PJH

UNITED STATES OF AMERICA

v.

FRANCISCO MORA ALVAREZ,

Defendant.

No. CR 08-0143 PJH

[PROPOSED] ORDER EXCLUDING
TIME FROM SPEEDY TRIAL ACT
COMPUTATION

The parties appeared before the Court on July 23, 2008 at 1:00 p.m for a status
conference. Defendant Guillermo Zaragoza appeared in custody with his attorney George

Speedy Trial Act Order

U.S. v. Guillermo Zaragoza, et al. (08-0083 PJH)

U.S. v. Francisco Mora Alvarez (08-0143 PJH)

1 Cotsirilos; defendant Manuel Corona appeared in custody with attorney Nina Wilder, who also
2 appeared specially for attorney Garrick Lew on behalf of defendant Irma Corona; defendant Paul
3 Kozina appeared with his attorney Christy O'Connor; defendant David Quezada appeared in
4 custody with his attorney Steve Teich, who also appeared specially for attorney Brian Berson on
5 behalf of defendant David Weld; defendant Martel Valencia appeared in custody with attorney
6 Robert Waggener; defendant Eduardo Zaragoza appeared in custody with his attorney Claire
7 Leary; defendant Martin Zaragoza appeared in custody with his attorney Gail Shiffman, who also
8 appeared specially for attorney Roger Patton on behalf of defendant Juan Zaragoza and attorney
9 Seth Chazin on behalf of defendant Angelica Rodriguez, who was in custody; defendant Richard
10 Parodi appeared in custody with attorney Doug Rappaport; and defendant Lorenzo Carbajal
11 appeared in custody with his attorney Felicia Gross. Defendant Roberto Ruiz remains at-large,
12 and defendant Francisco Mora Alvarez, in the related case 08-0143 PJH, appeared with his
13 attorney Haywood Gilliam.

14 At the July 23, 2008 status conference, the parties requested a continuance until
15 September 17, 2008 at 1:30 p.m. Discovery has been on-going since the commencement of this
16 case. Discovery has included, among other things, wiretap materials, including audio calls and
17 line sheets from the wire interceptions, surveillance videos and photographs, and search warrant
18 materials. Counsel for the defense stated that they need additional time to review the discovery.
19 Counsel for the defense also indicated that they have specific discovery requests for the
20 Government, and that the parties will work to resolve the discovery issues to the extent they can
21 without the filing of motions. The parties agreed in open Court, with their attorneys'
22 concurrence, that the case should be declared factually and legally complex. Accordingly, the
23 parties agreed, that the entire period from July 23, 2008 through and including September 17,
24 2008, should be excluded from the otherwise applicable Speedy Trial Act computation, because
25 the factual and legal complexity renders it unreasonable to expect adequate and effective
26 preparation for pretrial proceedings and for the trial within the otherwise applicable time limits
27 set forth in the Speedy Trial Act.

28 **Speedy Trial Act Order**

U.S. v. Guillermo Zaragoza, et al. (08-0083 PJH)

U.S. v. Francisco Mora Alvarez (08-0143 PJH)

1 Based upon the above-described representations and the parties' agreement in open
2 Court, the Court FINDS THAT the ends of justice served by granting a continuance from July
3 23, 2008 through and including September 17, 2008 outweigh the best interest of the public and
4 the defendants in a speedy trial, and that the case is so factually and legally complex, due to the
5 number of defendants and the nature of the prosecution, that it is unreasonable to expect effective
6 and adequate preparation for pretrial proceedings and for the trial within the otherwise applicable
7 time limits set forth in the Speedy Trial Act, within the meaning of 18 U.S.C. § 3161(h)(8)(A)
8 and (B)(ii) and (iv).

9 Accordingly, the Court ORDERS THAT:

10 1. This case is continued to September 17, 2008 at 1:30 p.m. for further status and
11 for setting of motion dates.

12 2. The period from July 23, 2008 through and including September 17, 2008 is
13 excluded from the otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. §
14 3161(h)(8)(A) and (B)(ii) and (iv).

15
16
17 Dated: July __, 2008

HON. PHYLLIS J. HAMILTON
United States District Judge